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1	Kamala D. Harris	·	
2	Attorney General of California GLORIA A. BARRIOS		
3	Supervising Deputy Attorney General KATHERINE MESSANA		
4	Deputy Attorney General State Bar No. 272953		
5	300 So. Spring Street, Suite 1702 Los Angeles, CA 90013		
6	Telephone: (213) 897-2554 Facsimile: (213) 897-2804		
7	Attorneys for Complainant		
8	BEFORE THE BOARD OF REGISTERED NURSING		
9	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA		
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11	In the Matter of the Accusation Against:	Case No. 2013 - 424	
12	DONNA RENEE CLARK		
13	1813 Carmel Church Road Meridian, MS 39301	ACCUSATION	
14	Registered Nurse License No. 713270		
15	Respondent.		
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17	Complainant alleges:	•	
18	<u>PARTIES</u>		
19	1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her		
20	official capacity as the Executive Officer of the Board of Registered Nursing, Department of		
21	Consumer Affairs.		
22	2. On or about September 28, 2007, the Board of Registered Nursing issued Registered		
23	Nurse License Number 713270 to Donna Renee Clark ("Respondent"). The Registered Nurse		
24	License was in full force and effect at all times relevant to the charges brought herein and will		
25	expire on June 30, 2013, unless renewed.		
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JURISDICTION AND STATUTORY PROVISIONS

- 3. This Accusation is brought before the Board of Registered Nursing ("Board"), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code ("Code") unless otherwise indicated.
- 4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
 - 5. Section 2761 of the Code states, in pertinent part:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

(d) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violating of, or conspiring to violate any provision or term of this chapter [the Nursing Practice Act] or regulations adopted pursuant to it."

COST RECOVERY

6. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

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FIRST CAUSE FOR DISCIPLINE

(Disciplinary Action by the State of Mississippi Board of Nursing)

- 7. Respondent is subject to disciplinary action under section 2761, subdivision (a)(4) of the Code in that Respondent was disciplined by the State of Mississippi Board of Nursing ("Mississippi Board"), as follows:
- 8. On or about October 2, 2009, the Mississippi Board approved and accepted an Agreed Order, stipulated to by the parties, ordering Respondent to complete a Board-approved workshop or in-service on the Post Operative Complications in nursing and on the Legal Aspects of Nursing in the disciplinary matter entitled *In the Matter of Mississippi License No. R-874291*, issued to Donna Clark. The circumstances underlying the disciplinary action by the Mississippi Board are that Respondent negligently or willfully acted in a manner inconsistent with the health or safety of persons under her care. Specifically, on or about March 18, 2009, while working at Baptist Hospital, Respondent failed to intervene and notify the physician of a significant change in post operative status of patient RM. Patient RM had saturated rectal bleeding, low blood pressure and signs of hypovolemia. The patient expired at approximately 11:00 p.m. on March 18, 2009.

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

9. Respondent is subject to disciplinary action under section 2761, subdivision (a) of the Code on the grounds of unprofessional conduct in that Respondent failed to intervene and notify the physician of a significant change in post operative status of patient RM. The conduct is described in more particularity in paragraph 8 above, inclusive and hereby incorporated by reference.

THIRD CAUSE FOR DISCIPLINE

(Violation of the Nursing Practice Act)

10. Respondent is subject to disciplinary action under section 2761, subdivision (d) of the Code in that Respondent violated provisions of the Nursing Practice Act. The violations are

1	described in more particularity in paragraphs 8 and 9 above, inclusive and hereby incorporated by	
2	reference.	
3	<u>PRAYER</u>	
4	WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,	
5	and that following the hearing, the Board of Registered Nursing issue a decision:	
6	1. Revoking or suspending Registered Nurse License Number 713270, issued to Donna	
7	Renee Clark;	
8	2. Ordering Donna Renee Clark to pay the Board of Registered Nursing the reasonable	
9	costs of the investigation and enforcement of this case, pursuant to Business and Professions	
10	Code section 125.3;	
11	3. Taking such other and further action as deemed necessary and proper.	
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14	DATED: November 27, 2012 Stave Ben- LOUISE R. BAILEY, M.ED., RN Executive Officer	
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16	Board of Registered Nursing Department of Consumer Affairs	
17	State of California Complainant	
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